

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARRYL CARTER,

No. C 12-5537 MMC

Plaintiff,

v.

**ORDER VACATING FEBRUARY 15, 2013  
HEARING ON DEFENDANTS' MOTION  
TO DISMISS AND PLAINTIFF'S MOTION  
FOR SANCTIONS**


CLYDE REESE III, et al.,

Defendants

Before the Court is defendants Clyde L. Reese III and Keith Horton's Motion to Dismiss, noticed for hearing February 15, 2013; plaintiff has filed opposition, to which defendants have replied. Also before the Court is plaintiff's Motion for Sanctions, likewise noticed for hearing February 15, 2013; defendants have filed opposition, to which plaintiff has replied. Having read and considered the papers filed in support of and in opposition to the motions, the Court deems the matters suitable for decision thereon, and hereby VACATES the hearing scheduled for February 15, 2013.<sup>1</sup>

**IT IS SO ORDERED.**

Dated: January 30, 2013

  
MAXINE M. CHESNEY  
United States District Judge

<sup>1</sup> Defendants' motion to appear by telephone at the February 15, 2013 hearing is hereby DENIED as moot.